## THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION

CRIMINAL CASE NO. 1:11cr10

| UNITED STATES OF AMERICA,   | )           |           |              |
|-----------------------------|-------------|-----------|--------------|
| vs.                         | )<br>)<br>) | AMENDED ( | <u>ORDER</u> |
| JAMES W. "BILL" BAILEY, JR. | )<br>)<br>) |           |              |

THIS MATTER is before the Court on the Motion [Doc. 297] of Claimants Krystal and David Bottom to modify the Protective Order in this matter [Doc. 228] so as to allow the Claimants to disclose documents subject to such Order to their accountant, who is conducting an expert forensic analysis on their behalf, for use in pending state court proceedings brought by the Claimants against HomeTrust Bank, the Defendant, and 1031 Exchange Services, LLC. The Claimants represent that the Government takes no position on the matter.

For cause shown, the Claimants' Motion will be allowed.

IT IS, THEREFORE, ORDERED that the Motion [Doc. 297] of Claimants Krystal and David Bottom is ALLOWED, and the Protective Order [Doc. 228] is hereby modified so as to allow these Claimants to disclose documents

subject to the Protective Order to their forensic accountant for use in the above-referenced state court proceedings, provided that the accountant maintains the confidentiality of such documents and agrees to be bound by the terms of the Protective Order.

IT IS SO ORDERED.

Signed: November 3, 2011

Martin Reidinger United States District Judge